



INTERIOR BOARD OF INDIAN APPEALS

National Congress of American Indians v. Bureau of Indian Affairs

23 IBIA 241 (03/15/1993)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

NATIONAL CONGRESS OF AMERICAN	:	Order Dismissing Appeal
INDIANS,	:	
Appellant	:	
	:	
v.	:	Docket No. IBIA 86-57-A
	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	March 15, 1993

Appellant National Congress of American Indians sought review of a May 20, 1986, decision concerning Bureau of Indian Affairs (BIA) Grant No. K51C14206093. The case involved an ongoing audit by the Department of the Interior's Office of Inspector General (OIG), which was completed after briefing of the appeal by the parties. By order dated February 8, 1989, the Board requested clarification of the issues remaining after the audit.

The response to the Board's order indicated that appellant had not had an opportunity to discuss the results of the audit with the auditor before the report was finalized and submitted to BIA. In an order dated June 28, 1989, the Board found that many of the issues appellant stated remained open might have been resolved through an opportunity for discussion between appellant and the OIG auditor, and requested that the parties work together to attempt to settle the matter. It further requested that appellant notify it each month of the progress of these settlement negotiations.

The Board stopped receiving status reports in August 1992. By order of February 8, 1993, it requested a status report. On March 12, 1993, the Board received a report from appellant, enclosing a copy of an undated letter from BIA stating that settlement had been reached. Appellant indicates that the date of the letter was September 1, 1992. Although the letter is addressed to the Board at its correct address, the Board had not previously received it.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is dismissed on the basis of the settlement reached between the parties.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge